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GREGORIO TORRES-PENA
7

8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
10

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 vs.

14 GREGORIO TORRES-PENA,

15 Defendant.
16

Case No. 1:25-cr-00080-KES-BAM

**STIPULATION TO EXTEND DEADLINE
FOR FILING REPLY BRIEF AND
CONTINUE MOTION HEARING; ORDER**

Date: August 11, 2025

Time: 9:30 a.m.

Judge: Hon. Kirk E. Sherriff

17 IT IS HEREBY STIPULATED by and between the parties through their respective
18 counsel, Assistant United States Attorney Luke Baty, counsel for plaintiff, and Assistant Federal
19 Defender Erin Snider, counsel for Gregorio Torres-Pena, that the Court may extend the deadline
20 for Mr. Torres-Pena to file a reply to the government's opposition to the motion to dismiss to
21 August 4, 2025, and may continue the motion hearing currently scheduled for July 28, 2025, to
22 August 11, 2025, at 9:30 a.m.

23 The parties agree and request the Court find the following:

24 1. On May 26, 2025, Mr. Torres-Pena, through counsel, filed a motion to dismiss the
25 sole charge in the Indictment pursuant to 8 U.S.C. § 1326(d).

26 2. Pursuant to the parties' stipulation, the Court later set the following schedule:
27 government's opposition to motion to dismiss due July 14, 2025; defendant's reply to
28 government's opposition due July 21, 2025; and motion hearing on July 28, 2025, at 9:30 a.m.

1 3. The government timely filed its opposition brief on July 14, 2025.

2 4. Defense counsel requires additional time to discuss issues raised in the opposition
3 brief with her client and to conduct necessary research. The government has no objection to a
4 two-week extension of time to file the reply brief.

5 5. The parties are both available for a hearing on the motion to dismiss on August
6 11, 2025, at 9:30 a.m.

7 6. Because the motion to dismiss remains pending, time is excluded for the purpose
8 of computing time under the Speedy Trial Act pursuant to 18 U.S.C. § § 3161(h)(1)(D).

9 **IT IS SO STIPULATED.**

10 Respectfully submitted,

11 KIMBERLY SANCHEZ
12 Acting United States Attorney

13 Date: July 18, 2025

14 /s/ Luke Baty
15 LUKE BATY
16 Assistant United States Attorney
17 Attorney for Plaintiff

18 HEATHER E. WILLIAMS
19 Federal Defender

20 Date: July 18, 2025

21 /s/ Erin Snider
22 ERIN SNIDER
23 Assistant Federal Defender
24 Attorney for Defendant
25 GREGORIO TORRES-PENA

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ORDER

IT IS SO ORDERED. Any reply to the government's opposition brief is due August 4, 2025. The hearing on the motion to dismiss currently scheduled for July 28, 2025, at 9:30 a.m., is hereby continued to August 11, 2025, at 9:30 a.m. For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, *et seq.*, within which trial must commence, the time period of July 28, 2025, to August 11, 2025, inclusive, is excludable pursuant to 18 U.S. C. § 3161(h)(1)(D).

IT IS SO ORDERED.

Dated: July 21, 2025



UNITED STATES DISTRICT JUDGE